

# DEVELOPMENT CODE

## **ARTICLE 151.19** **SUBDIVISION PLATTING PROCEDURES AND REQUIREMENTS**

- 151.19.001 Outline of Platting Procedures
  - A. Minor Subdivision
  - B. Major Subdivision
- 151.19.002 Pre-application Stage
  - A. Introduction
  - B. Development Master Plan Application
  - C. Submission, Review and Approval
  - D. Updating of Development Master Plan
- 151.19.003 Preliminary Plat Stage
  - A. Introduction
  - B. Information Required for Preliminary Plat Submission
- 151.19.004 Preliminary Plat Submission Procedures
  - A. Filing and Meeting Dates
  - B. Preliminary Plat Review
  - C. Notice to Property Owners
  - D. Results of Review Process
  - E. Committee Action
  - F. Commission Action
  - G. Council Action
  - H. Significance of Approval
- 151.19.005 Final Plat Stage
  - A. Introduction
  - B. Information Required for Final Plat Submission
  - C. Final Plat Submittal Procedures
  - D. Final Plat Review
  - E. Final Plat Approval and Recordation
- 151.19.006 Improvement Security
- 151.19.007 Fees

## DEVELOPMENT CODE

### **Section 151.19.001**

#### **Outline of Platting Procedures**

The preparation, submission, review and official action concerning all subdivision plats, plats filed for the purpose of reverting to acreage of land previously subdivided, plats filed for the purpose of vacating streets or easements previously dedicated to the public and for plats filed for the purpose of vacating or re-describing lot or parcel boundaries previously recorded within the City shall proceed through the following progressive stages, except as provided.

#### **A. Minor Subdivision**

1. Pre-application Stage
2. Final Plat Stage

#### **B. Major Subdivision.**

1. Pre-application Stage
2. Preliminary Plat Stage
3. Final Plat Stage

### **Section 151.19.002**

#### **Pre-application Stages**

- A. Introduction. This stage affords the subdivider the opportunity of obtaining the advice and assistance from and informally discussing the proposed subdivision with the Department of Community Development and Committee prior to the expense of a preliminary or final plat preparation. This stage of processing also affords the City and Committee the opportunity to give informal guidance at a time when potential points of conflict can be most easily resolved, subsequent relations improved, official action simplified, and undue expense and delay saved by the subdivider.

## DEVELOPMENT CODE

B. Development Master Plan Application. The subdivider shall confer with the City and Committee and present the graphic depiction of his proposal on one or more sheets of 24 inch X 36 inch proportions with supporting detailed information, at an appropriate scale, including but not limited to:

1. Name.

- a. Name of subdivision if property is within an existing subdivision.
- b. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
- c. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)

2. Ownership.

- a. Name and address, including telephone number, of legal owner or agent of property and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference. If the property is held in trust, the names of all beneficiaries of the trust shall be provided.
- b. Citation of any existing legal rights-of-way or easements affecting the property.
- c. Existing covenants on the property, if any.
- d. Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements and for surveys.

3. Description. Location of property by government lot, section, township, range and county, graphic scale, north arrow, and date.

4. Features.

- a. Location of property lines, existing easements, burial grounds, railroad rights-of-way, watercourses, location, width, and names of existing or platted streets or other public ways within or immediately adjacent to the tract.

## DEVELOPMENT CODE

- b. Location, sizes, elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent building and utility poles on or immediately adjacent to the site and utility rights-of-way.
  - c. Approximate topography extrapolated from U.S.G.S. Quad Sheets at the same scale as the sketch plat.
  - d. The approximate location and widths of proposed streets.
  - e. Preliminary proposals for connection with existing water supply and sanitary sewage systems, or alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage.
  - f. The approximate location, dimensions, and areas of all proposed or existing lots.
  - g. The approximate location, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.
  - h. Adequate information to enable the Committee to find and appraise features of the sketch plat in the field.
  - i. Whenever the master plan covers only a part of an applicant's contiguous holdings, the applicant shall submit, at an appropriate scale, a sketch of the proposed subdivision area, together with its proposed street system and an indication of the probable future street and drainage system of the remaining portion of the tract.
  - j. A vicinity map showing streets and other general development of the surrounding area.
- C. Master Plan Submission, Review and Approval. The subdivider shall prepare and submit six copies of a Development Master Plan to the Department of Community Development.

The Department of Community Development shall review the submittal for conformance with the requirements of subsection B above. When the Department of Community Development has found the submittal to be in compliance, the Development Master Plan shall be submitted to the Committee. The Committee shall review the Development Master Plan for its general approach to area planning and capability of satisfying public objectives as contained in the General Plan and

## DEVELOPMENT CODE

may request similar review and recommendation by school authorities and such other officials as it may consider appropriate. The Committee may find that the Development Master Plan provides an acceptable basis for preliminary platting or may require its modification prior to consideration of any preliminary plat by the Committee and the Commission.

- D. Updating of Development Master Plan. An approved Development Master Plan shall be kept up-to-date by the subdivider as plats are subsequently submitted and approved and an up-to-date copy submitted with each preliminary plat submittal. Whenever revision of an approved Development Master Plan is proposed, the subdivider shall discuss each revision with the Committee prior to preparation and submission of any subsequent plat.

### **Section 151.19.003**

#### **Preliminary Plat Stage**

- A. Introduction. This stage includes preparation, submission, review, and approval of the preliminary plat based on the approved Development Master Plan. Processing will be expedited by submission of all information essential to determining the intended character and general acceptability of the proposal.
- B. Information Required for Preliminary Plat Submission.
1. Form and Scale. Preliminary plat information shall be presented on one or more plan sheets of 24 inch X 36 inch proportions with written data entered directly thereon or contained in letters attached thereto. All mapped data for the same plat shall be drawn at the same standard engineering scale of 100 feet to the inch. A larger scale may be utilized with written permission of the Director of Community Development in situations which warrant its use as a result of a need to show detail which cannot be easily shown at a scale of 100 feet to the inch.
  2. Identification Data.
    - a. Proposed subdivision name, location by section, township and range, referenced by dimension and bearing to a section corner or a ¼-section corner.
    - b. Name, address and telephone number of owner. Proof of ownership shall consist of a copy of a title report, by a title company authorized to conduct business in the State of Arizona, issued not more than 30 days prior to the date of submittal.

## DEVELOPMENT CODE

- c. Name, address and telephone number of person preparing plat.
- d. Name, address and telephone number of agent.

If the land is owned by a corporation, proof of agency shall consist of a Corporation Resolution designating the individual to act as an agent. The Corporate Resolution must be certified by the Secretary of the corporation and authenticated by the corporate seal or acknowledged in the form prescribed in A.R.S. §33-506.2.

If the land is owned by a partnership, proof of agency shall consist of a written document from the partner(s) designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by A.R.S. §33-506.3.

If the land is owned by an individual, proof of agency shall consist of a written document designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by A.R.S. §33-506.01.

- e. Scale, north point, and date of preparation including any revision dates.
- f. A location map, not necessarily to scale, shall be drawn on the preliminary plat. It shall show the street and tract lines and names and numbers of all existing subdivisions, and the outlines of acreage parcels of land adjacent to the proposed tract.

### 3. Existing Conditions Data.

- a. Topography by the contours related to a U.S.G.S. Survey datum and shown and shown on the same street as the subdivision layout. Contour interval shall be two feet for grades up to five percent, five feet for grades five to ten percent, and ten feet for grades over ten percent.
- b. Precise location of water wells, washes, and drainage ditches including direction of flow.
- c. Location, widths, and names of all dedicated streets, alleys, utility rights-of-way of public record, easements of record, public areas, and permanent structures to be retained within or adjacent to the tract.
- d. Name, book and page numbers of recorded plats abutting the tract or across a boundary street.

## DEVELOPMENT CODE

- e. Legal description by metes and bounds, boundary dimensions and acreage of tract.
  - f. The approximate boundaries of all areas subject to the 100-year flood-prone area and the location, width and direction of flow of all water courses.
  - g. The names of subdivisions which adjoin the proposed subdivision.
4. Proposed Conditions Data.
- a. Street layout including location and width of all streets, alleys, crosswalks, easements and the proposed names of streets.
  - b. Lot layout, including scale dimension of typical lots; width and depth of all corner lots and lots on street curves; each lot numbered consecutively; total number of lots; key lots/corner lots will be identified by lot number in side legend.
  - c. Location, width, and proposed use of easements.
  - d. Location, extent, and proposed use of all land to be dedicated or reserved for public use.
  - e. Location and boundary of all existing and proposed zoning districts.
  - f. Draft of proposed deed restrictions, if proposed or applicable.
5. Proposed Utilities. All lots shall be provided public water supply and sanitary sewage.
6. Water Adequacy. Submission of a copy of the application submitted to the Arizona Department of Water Resources (ADWR) for water adequacy determination. See *Section 151.19.05, Final Plat Stage*, for further information.
7. Soil Engineering Report. A soil engineering report which shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of site to be developed by the proposed grading. The soil engineering report will include suggestions concerning erosion control of the project site during construction as well as upon completion. The City Engineer shall review the report for

## DEVELOPMENT CODE

accuracy and make recommendations to the Director of Community Development as to the acceptability of the report.

8. Property Addresses. The names and addresses of all property owners within 300 feet of the exterior boundaries of the proposed subdivision.
9. Site Hydrology Report. A site hydrology report shall be provided for review and approval and shall conform to the criteria in Section 151.08.006. The City Engineer shall review the report for accuracy and make recommendations to the Director of Community Development as to the acceptability of the report.
10. Transportation Impact Report
  - a. Purpose. A Transportation Impact report is used to identify the transportation (traffic) impacts and problems which are likely to be generated by a proposed use. It is also used to identify all improvements required to ensure safe ingress and egress for a proposed development. The maintenance of adequate street capacity and elimination of hazardous conditions are also objectives of a Transportation Impact Report. The City may conduct a Transportation Impact Analysis (TIA) if it is deemed necessary, based on a proposed development land use and anticipated impact on the City's transportation system. If the applicant desires to conduct an independent TIA, it shall be submitted to the City.
  - b. Applicability. A transportation impact report shall be required in the following cases:
    - (1) Any development which proposes to take direct access to any collector or arterial road.
    - (2) Any residential development which proposes to have more than 25 dwelling units.
    - (3) Any use which, according to the City, will generate in excess of either 250 trips per acre per day or 100 trips per day.
  - c. Contents of transportation impact report. The transportation impact report shall be prepared by a professional traffic engineer and contain the following data and information:
    - (1) General site description. A detailed description of the street network within one mile of the site, a description of the proposed land uses, the anticipated stages of construction, and the anticipated completion date of the proposed land development shall be provided. This description, which may be in the form of a map, shall include



## DEVELOPMENT CODE

the following items: (a) all major intersections, (b) all proposed and existing ingress and egress locations, (c) all existing roadway widths and rights-of-ways, (d) all existing traffic signals and traffic-control devices, (e) all existing and proposed public transportation services and facilities within a one mile radius of the site.

In addition, any changes to the street network within .5 mile of the site, proposed by any governmental agency, shall be described. This description shall include the above items as well as any proposed construction project that would alter the width and/or alignment of the present highway.

- (2) Description of existing traffic conditions. A report based on the following shall be provided.

A 24 hour traffic count shall be conducted for a period of five weekdays (Monday-Friday) on all streets which have direct access to a proposed development site. The existing average daily traffic volume and the highest average peak hour volume for any weekday shall be recorded.

These traffic volumes shall be averaged to determine the average hourly peak traffic volume for the five days between Monday and Friday.

- (3) Transportation impact of the development. The average weekday trip generation rate between 3 PM and 6 PM for the proposed use shall be determined from the table contained in this subsection or from figures provided by a qualified traffic engineer. A report shall be made detailing the nature and extent of the trip generation expected to result from the proposed development.

- (4) Determination of roadway service level.

(a) Calculate service volumes. Roadway service volumes shall be calculated at level of service B for roads identified as collectors. Critical elements to be considered in this calculation are: lane width and number of lanes, restricted lateral clearance, the service volume/ capacity ratio, percentage of site passing distance greater than 1,500 feet, percentage of trucks, grade, and operating and average speeds. Data and procedures contained in the Highway Capacity Manual, Special Report 87, published by the Highway Research Board, shall be utilized in deriving the data required by the transportation impact report.

## DEVELOPMENT CODE

Service volume for the given level of service (C for arterials, D for collectors) will be computed directly from capacity under ideal conditions using the adjustment factors for level of service and the critical elements listed above. The specific tables to be used vary, depending on whether the roadway being analyzed is a multi-lane or two-lane highway.

- (b) Calculate whether the roadway is currently operating at the required level of service. The roadway is considered to be operating at or above level of service C (inclusive of levels A and B) if the service volume computed in Subsection B is greater than the hourly peak volume for the period between 3 PM and 6 PM. All arterial roadways operating below level of service C (inclusive of levels D, E and F) shall be identified as congested locations. Similarly, the roadway is considered to be operating at or above level of service B (levels A, B and C) if the service volume computed in Subsection B is greater than the hourly peak volume for the period between 3 PM and 6 PM. All collector roadways operating below level of service B (inclusive of levels E and F) shall be identified as congested locations.

### (5) Determination of Intersection Service Level.

- (a) Calculation of intersection capacity at levels of service B and C. A load-factor analysis shall be conducted for a period of five weekdays (Monday-Friday) on all intersections within 0.5 mile of a proposed site. The highest average hourly load factor between 3 PM and 6 PM shall also be recorded. A maximum load factor of 0.3 will be allowed for intersections involving two arterials or an arterial and one collector roadway. All such intersections with a load factor greater than 0.3 are operating below level of service C (inclusive of levels D, E and F) and shall be identified as congested locations.

A maximum load factor of 0.7 will be allowed for intersections involving two 151.19-10 collector roads. All such intersections with a load factor greater than seven-tenths 0.7 are operating below level of service D (levels E and F) and shall be identified as congested locations.

This load factor will represent the highest average for the five days between Monday and Friday. A load factor analysis is an indicator of the level of service at which an intersection is functioning. The calculation required by this section will identify intersections that are presently operating above capacity for levels of service B and C.

## DEVELOPMENT CODE

- (b) Determine capacity of intersections within one-half mile of proposed site at levels of service B and C. For intersections, which currently are operating with a load factor below 0.3 during the peak afternoon period, the intersection capacity for level of service C shall be determined. For intersections currently operating with a load factor below 0.7 during the peak afternoon period, the intersection capacity for level of service C shall be determined. This calculation will require that a traffic count be conducted for a five day period between Monday and Friday at all affected intersections. Peak hour volume between 3 PM and 6 PM shall also be recorded. The traffic count shall determine: (1) percentage of right-hand turns, (2) percentage of left-hand turns, (3) percentage of trucks and (4) peak hour factor.
- (6) Analysis of Transportation Impact. The projected total future peak hour traffic demand shall be calculated for all roads fronting on a proposed site and all intersections within .5 mile of the site. This demand shall consist of an assumed normal increase of traffic volume of 1 percent per year (unless traffic engineering studies indicate a different rate of increase) and the anticipated traffic that will be generated by the proposed development. An analysis shall be undertaken to determine if roadways and intersections will operate at the appropriate level of service following completion of the development given the future peak hour traffic that will be generated by the proposed development. This analysis consists of the comparison of the total future peak hour intersection and roadway traffic demand with the service volumes for levels C and D computed in Subsection C above. All roadways and intersections that would operate below the required level of service following completion of the development shall be considered deficient.
- (7) Maintenance of levels of service B and C. Whenever level of service is determined to be below level C in the case of arterials or below level B in the case of collectors, development is not permitted unless the developer makes the roadway or other improvements necessary to maintain level of service B or C respectively. The City, at the option of the Council, may enter into an agreement with the developer and/or potential third party to provide funds for a proportional share of improvement costs necessary to maintain Level of Service C for arterials and Level of Service B for collectors.
- (8) Traffic control devices. Whenever, as the result of additional traffic generated by a proposed development, the Manual determines the need for a traffic signal or regulator

## DEVELOPMENT CODE

sign, the developer shall be responsible for installing all said devices and signs after approval by the City.

(9) Large developments (over 250 vehicle trips generated per one hour period between 3 PM and 6 PM).

- (a) The impact report for developments which will generate between 250 and 1,000 trips during the peak hour shall, pursuant to Section 3 above, involve an analysis of all arterial and collector roadways and all intersections within one mile of the proposed site.
- (b) The impact report for developments which will generate over 1,000 trips during the peak hours shall involve an analysis of all arterial and collector roadways and all intersections within 3 miles of the proposed site.

In addition to the traffic survey, an analysis of the intersection shall be undertaken. This analysis will determine the current width of the intersection and green time to cycle time ratio (G/C ratio).

### **Section 151.19.004**

#### **Preliminary Plat Submission Procedures.**

- A. Submission Dates. An application for plat approval, together with 20 copies of the preliminary plat; three copies of the required supporting data prepared in accordance with *Section 151.19.003,B* of this Article; proof of ownership; and proof of agency shall be filed with the Department of Community Development at least 25 working days prior to the regular Commission meeting at which the subdivider may be heard. The Department of Community Development shall record the date of filing.

The time of filing of the preliminary plat shall be the time at which the same, with all required accompanying data, is received by the Department of Community Development. The Department of Community Development shall indicate the date of filing upon all copies of the preliminary plat and accompanying data. A filing fee, as established by resolution of the City Council, shall be paid at the time of filing the preliminary plat. No filing fee shall be required for additional preliminary plats covering the same tract or revisions of the initial map filed prior to the Commission action.

## DEVELOPMENT CODE

B. Preliminary Plat Review. The Director of Community Development shall receive, review, and process the preliminary plat in order to determine its compliance with the provisions of this Code. The Director of Community Development shall distribute copies of the plat to the following officials:

1. Department of Community Development for review of existing and proposed conditions data relating to streets, drainage, flood control, water supply, sewage disposal facilities, conformance to General Plan and identification data, and for review of conformance to current and proposed zoning.
2. Director of Public Works for review of maintenance or operational considerations.
3. The City Attorney for review of conformance to the Code.
4. Police Chief for review of traffic circulation pattern and potential traffic hazards.
5. Fire Chief for review of access routes.
6. Superintendent of the appropriate school district for his information.
7. Local postmaster for his information.
8. County Engineer and County Director of Planning if proposed subdivision abuts Cochise County.
9. Others as deemed necessary by the Director of Community Development, including appropriate utility companies.

Each of the recipients shall, within ten working days after the plat has been transmitted, return to the Director of Community Development a written report on their findings and recommendations on the preliminary plat.

C. Notice to Property Owners. The city shall notify all property owners within 500 feet of the exterior boundaries of the proposed plat that it is available for review and comment.

D. Results of Review Process. If the preliminary plat does not meet the requirements of this Code, the Director of Community Development should immediately provide the subdivider or his authorized agent a written notification of all deficiencies found in the review process. Once the plat meets all of the requirements of this Code, the preliminary plat shall be transmitted to the Committee.

## DEVELOPMENT CODE

- E. Committee Action. After meeting to review the preliminary plat, the Development Review Committee shall prepare a written report on its findings and recommendations. This review may consider the requirements of this Code and other City ordinances, pertinent State regulations, and comments from other public and utility agencies. The report shall be submitted to the Commission with a copy to the subdivider or authorized agent.
- F. Commission Action.
1. After receiving the report from the Committee, the Commission shall consider the preliminary plat at a regular or special meeting.
  2. If satisfied that all requirements and objectives of this Code have been met, the Commission shall find preliminary approval by passing a resolution, and transmitting a copy of the resolution to the Council.
  3. Approval of a preliminary plat by the Commission shall be supported by findings:
    - a. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
    - b. That the site is physically suitable for the type of development.
    - c. That the site is physically suitable for the proposed density of development.
    - d. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
    - e. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems.
  4. The Commission may recommend the plat to the Council for approval, disapproval, or approval with conditions.
- G. Council Action. After the Commission has made its recommendations, the Department of Community Development shall transmit the plat, with the Commission and staff recommendations, to the Council for its review and action.

## DEVELOPMENT CODE

- H. Significance of Approval. Approval of a preliminary plat by Council constitutes authorization for the subdivider to proceed with the preparation of the final plat and public works improvement plans. Preliminary or conditional approval is valid for a period of 12 months from date, and may be extended once at the discretion of the Council for six months from the expiration date of the original approval upon written request of the subdivider prior to expiration of approval. If the approval expires prior to filing the final plat, improvement plans, and supporting data, the preliminary plat shall be resubmitted for approval as a new case and a new fee paid. If a Committee review of a resubmitted plat reveals no substantial change from the previously approved preliminary plat, and that conditions under which previous approval was granted have not changed, the resubmitted plat shall be scheduled for consideration by the Council at its first regular meeting thereafter.

### **Section 151.19.05**

#### **Final Plat Stage**

- A. Introduction. This stage includes final design of the subdivision, engineering of public improvements, submittal of plat and plans by the subdivider, plat review by the staff and Committee, and final approval by the Council.
- B. Information Required for Final Plat Submission.
1. Preparation of Final Plat. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of this Code.
  2. Medium of Presentation.
    - a. The final plat shall be drawn in India ink on clear polyester film (mylar), on a sheet or sheets of 24-inch X 36-inch proportions. All stamped or written matter, including signatures, shall be made with permanent opaque ink so that legible prints may be obtained therefrom. When the final plat consists of two or more sheets, one key map showing the relationship of the tract portions on the sheets shall be placed on the first sheet, and each sheet shall clearly indicate the sheet number and total number of sheets.
    - b. The plat shall be drawn to an accurate scale of 100 feet to 1 inch. A larger scale may be used with the written permission of the Director of Community Development in situations which warrant its use as a result of a need to show detail which cannot be easily shown at a scale of 100 feet to 1 inch.

## DEVELOPMENT CODE

- c. Twenty copies of the final plat shall be reproduced in the form of blueline or blackline prints on white background.
- d. The subdivision developers shall provide the City with an electronic copy of the final plat for inclusion in the City Base Map. The file shall be compatible with the release of AutoCAD currently being used by the City. The file shall include all lot lines, easement lines, right-of-way lines, tracts, alleys and other features associated with the boundaries and lot lines of the subdivision. The information contained in the file shall incorporate the horizontal and vertical datum currently adopted by the City. If the developer fails to provide the file(s), the City will duplicate the information from the plans and charge the developer for the time and materials required for the work.

### 3. Identification Data.

- a. Name of subdivision and location by section, township, range, and county.
- b. Name, address, and registration number or seal of the registered land surveyor preparing the plat.
- c. Scale, north point, and date of plat preparation.
- d. Legend identifying the symbols utilized in the plat preparation; corner lots abutting a key lot will be identified in a legend by lot number with the following notation: "Building setback exceeds standard side yard setback (see zoning requirements)."
- e. Precise legal description by metes and bounds of tract boundaries.

### 4. Survey Data.

- a. Boundaries of the tract fully balanced and closed, showing true point of beginning and all bearings and distances determined by an accurate survey in the fields; all dimensions expressed in feet and decimals thereof.
- b. Any exceptions within the plat boundaries located by bearings and distances measured in feet and decimals thereof determined by an accurate survey.



## DEVELOPMENT CODE

- c. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat are referenced; two corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners. The directional datum for all bearings shall be indicated by actual survey.
- d. Location and description of all physical encroachments upon the boundaries of the tract.

### 5. Descriptive Data.

- a. Name, right-of-way lines, courses, lengths, widths of all public streets, alleys, crosswalks, and utility easements; radii, points of tangency, and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections.
- b. All drainageways designated as such and dedicated to the public.
- c. All utility and public service easements including any limitations of easements (construction within such easements shall be limited to utilities, landscaping; and wood, wire, or removable section type fences).

The sidelines of all existing and proposed easements shall be shown by fine dashed lines. If any easement already on record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference must appear on the title sheet. Distance and bearings on the sidelines of lots which are cut by an easements shall be arrowed or shown so that the map will dictate clearly the actual length of the lot lines. The widths of all easements and sufficient ties thereto be located definitely the same, with respect to the subdivision, must be shown. All easements must be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference must be given. If an easement is being dedicated on the map, it shall be set out in the owner's certificate for dedication.

- d. Location and dimension of all lots. All lots numbered consecutively throughout the plat; exceptions and tracts shall be dimensioned and identified by letter or number.
- e. Tract boundary of the subdivision shall be clearly delineated. Location, dimension, bearings, radii, arcs, and central angles of all sites to be dedicated to the public and the use specified.

## DEVELOPMENT CODE

- f. Location of all adjoining subdivisions with date, book, and page number of recordation noted or, if unrecorded, so marked.
  - g. Any private deed restrictions to be imposed upon the plat or any part(s) thereof, typewritten and included with the plat and to each copy thereof.
6. Final Plat Certificates. The following certificates and acknowledgments shall appear on the final plat. Such certificates shall be lettered or printed legibly with permanent opaque ink and shall be signed and dated as prescribed hereafter.
- a. A certificate signed and acknowledged by all persons holding title by deed to the lands or if lands dedicated or held in trust, the trustee shall sign the certificate, or if land is to be dedicated or mortgaged, the mortgagee shall also sign their certificate. Said certificate to indicate that it is the owner's intention to subdivide and plat the land shown and described hereon and that the public right-of-way shown hereon is hereby dedicated to the public for public use forever and that the easements shown hereon are not dedicated to the public, but the right to use said easements for the purposes indicated is perpetually reserved for the public and no permanent building or structure shall be constructed upon said easements.
  - b. A certificate executed by a land surveyor registered to practice in the State of Arizona under whose direction the survey, subdivision, and plat of the land described on the said plat was made; stating that the plat is a correct representation of all the exterior boundaries of land surveyed and the subdivision of it; stating that he has prepared the description of the land shown on the plat and that he certifies to its correctness; stating that the bearings shown on the plat are expressed in relation to the true meridian or previously established meridian or bearing and that all existing monuments shown on the plat are actually located in the ground and their location, size, and material are correctly shown. The certificate shall include the registration number, seal, and signature of the registered land surveyor.
  - c. A certificate executed by a land surveyor registered to practice in the State of Arizona that all monuments are set in accordance with the provisions of this Code. The certificate shall include the registration number, seal, date, and signature of the registered land surveyor.
  - d. A certificate to be signed by the City Clerk that the Council approved the final plat and showing the date of approval.

## DEVELOPMENT CODE

- e. A certificate to be executed by the Cochise County Recorder showing the date, time of day, fee number, book, and page number of recordation.
- f. Note stating: The Arizona Department of Water Resources issued a determination of adequate water supply on (date).

### 7. Water Adequacy.

- a. Pursuant to ARS 11-806.01 § F and Cochise County Resolution 08-20 the Mayor and City Council shall not approve a final plat for a subdivision unless one of the following applies:
  - 1. The Director of Water Resources has determined that there is an adequate water supply for the subdivision and the subdivider has included the report with the plat.
  - 2. The subdivider has obtained a written commitment of water service for the subdivision from a city, town or private water company designated as having an adequate water supply by the Director of Water Resources.

### C. Final Plat Submittal Procedures.

- 1. Pre-submission Requirements. The final plat shall meet all requirements of the zoning district in which it is located, and any necessary zoning amendment shall have been adopted by the Council prior to filing of the final plat.
- 2. Submission Requirements. At least 20 working days prior to the Council meeting at which the plat may be considered, the subdivider shall file with the Director of Community Development for review by the Committee, the following:
  - a. The final plat.
  - b. Twenty copies of the final plat.
  - c. The recordation fee as established by the County Recorder.
  - d. Three copies of the street improvement plans.
  - e. Three copies of the sewer improvement plans.

## DEVELOPMENT CODE

- f. The final drainage reports and three copies of associated drainage improvement plans. A grading plan with cut and fill quantities shall be included.
- g. Three copies of the utility plan(s); said plan(s) shall show proposed line locations and proposed construction details to indicate the configuration and construction of any trenches, the location and outside dimensions of terminal boxes, transformers, vaults, closures, poles, telephone risers, fire hydrants, valve boxes and similar appurtenances relating to all electrical, lighting, gas, telephone, and cable television improvements/ facilities to be constructed within public rights-of-way or easements being graded for public use.
- h. Letters from all affected utilities indicating concurrence with the final plat, or the utility may send a letter directly to the Department of Community Development, which shall be construed as evidence of satisfaction of utility easement requirements.
- i. One original of the project engineer's cost estimate of public improvements.
- j. Calculation sheets, in a form approved by the Director of Community Development, giving coordinates of the boundary of the subdivision, blocks, and lots therein.
- k. Report and guarantee of clear title. The final plat shall be accompanied by a report prepared by a duly authorized title company naming the persons whose consent is necessary to the preparation and recordation of said plat and to the dedication of the streets, alleys, and other public places shown on the map, and certifying that, as of the date of the execution of the dedications in the plat, the person(s) therein named are all the person(s) necessary to give clear title to said subdivision.
- l. A filing fee, as established by resolution of the Council, shall be paid at the time of filing the final plat.

### D. Final Plat Review.

- 1. If the Department of Community Development finds that the submittal is complete and if the final plat substantially conforms to the approved preliminary plat, the Director of Community Development shall transmit a copy of the plat and the improvement plans to the Committee.
- 2. The Committee shall review the final plat for conformance with the approved preliminary plat. If it does not conform to the approved preliminary plat, it shall be returned and the filing date shall

## DEVELOPMENT CODE

be voided. The Director of Community Development shall inform the subdivider of the problems with the final plat.

3. The Director of Community Development shall coordinate and summarize the Committee's recommendation for presentation to the Council. If the final plat needs correction, it shall be returned to the subdivider who shall resubmit it prior to placement on the Council agenda together with a reproducible copy of the final plat which has been prepared using an archival photographic image process conforming to standards established by the American National Standards Institute, on a polyester material .004 of an inch thick with a matte finish.

### E. Final Plat Approval and Recordation.

1. Upon approval of the public works improvement plans and receipt of the improvement security provided in accordance with the provisions of *Section 151.19.006*, the Director of Community Development shall notify the City Clerk, and the City Clerk shall enter the final plat on the agenda of the regular Council meeting whereupon the Council shall approve or reject the plat.
2. If the Council rejects the plat for any reason whatsoever, the reasons therefore shall be recorded in the minutes. If the Council approves the plat, the City Clerk shall execute the appropriate certificate of approval upon the plat, first making sure that the other certificates required in *Section 151.19.005,B,6* of this Code have been duly executed.
3. After approval of the final plat by the Council, the Department of Community Development shall record the plat in the Office of the Cochise County Recorder and pay the recordation fee. One copy of the recorded plat shall be retained by the Department of Community Development.

### **Section 151.19.006** **Improvement Security**

Any person required to install public improvements under the provisions of this Code shall provide security by either (1) posting of a performance bond issued by a qualified surety, (2) establishing a cash trust, said funds to be deposited with the City Clerk to the credit of said person, (3) depositing with the City Clerk a certificate of deposit issued by a banking institution authorized to issue same (4) filing with the City Clerk an executed contract of guaranty between the City and a trust company, banking institution or other financial institution authorized to enter into such contracts, or (5) filing with the City Clerk a third party trust agreement executed by a trust company, banking institution or other financial institution authorized to enter into such contracts. The third party trust option shall only be allowed to

## DEVELOPMENT CODE

cover eighty (80) percent or less of the amount of the security required for public improvements. The remaining portion of the required security shall be provided by one of the other four methods described above. The third party trust shall be released prior to final release of the other provided security. The amount of said security is to be based upon the cost estimate prepared by a registered professional civil engineer in an amount to cover the completed installation of the proposed public works improvements as approved by the City Engineer. A certified letter from the utility company stating that full payment for the installation of the street lights has been received by the utility company may be submitted in lieu of other required improvement security guarantees for street light installation. A completion date for the improvements shall be declared by said person, and the security shall provide for its forfeiture to the City in the event that said improvements have not been completed or not accepted by the City by the declared completion date due to the default of said person. Where applicable, a concurrent agreement may be executed between the City and said person providing for incremental improvements in planned area developments provided, however, that each approved increment shall commensurately conform to the security requirements hereinabove specified. The Council may require of said person such further assurance of completion of improvements as they may deem necessary to the interest of the public.

### **Section 151.19.007**

#### **Fees**

Subdivision fees shall be determined according to a schedule established by resolution of the Council and posted in the Office of the City Clerk.